341-10-8-96

ACT No. XI OF 1896.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 13th March, 1896.)

An Act to amend the Legal Practitioners Act, 1879.

WHEREAS it is expedient to amend the Legal Practitioners Act, 1879; It is hereby enacted as follows :— XVIII of 1879.

1. To section 3 of the said Act the following shall be added, namely :— Addition to section 3, Act XVIII, 1879.

"'Tout' means a person who procures the employment in any legal business of any legal practitioner in consideration of any remuneration moving from such practitioner, or proposes to a legal practitioner to procure his employment in any legal business in consideration of such remuneration." "Tout."

2. For section 13 of the said Act the following shall be substituted, namely :— Substitution of new section for section 13, Act XVIII, 1879.

"13. The High Court may also, after such inquiry as it thinks fit, suspend or dismiss any Pleader or Mukhtár holding a certificate as aforesaid— Suspension and dismissal of Pleaders and Mukhtárs guilty of unprofessional conduct.

(*a*) who takes instructions in any case except from the party on whose behalf he is retained, or some person who is the recognized agent of such party within the meaning of the Code of Civil Procedure, or some servant, relative or friend authorized by the party to give such instructions, or XIV of 1882.

(*b*) who is guilty of fraudulent or grossly improper conduct in the discharge of his professional duty, or

(*c*) who

[*Price one anna and six pies.*]

(*c*) who tenders, gives or consents to the retention, out of any fee paid or payable to him for his services, of any gratification for procuring or having procured the employment in any legal business of himself or any other Pleader or Mukhtár, or

(*d*) who, directly or indirectly, procures or attempts to procure the employment of himself as such Pleader or Mukhtár through, or by the intervention of, any person to whom any remuneration for obtaining such employment has been given by him, or agreed or promised to be so given, or

(*e*) who accepts any employment in any legal business through a person who has been proclaimed as a tout under section 36, or

(*f*) for any other reasonable cause.

Substitution of new section for section 22, Act XVIII, 1879.

3. For section 22 of the said Act the following shall be substituted, namely:—

Suspension and dismissal of Revenue-Agents guilty of unprofessional conduct.

"22. The Chief Controlling Revenue-Authority may also, after such inquiry as it thinks fit, suspend or dismiss any Revenue-Agent holding a certificate as aforesaid—

(*a*) who is guilty of fraudulent or grossly improper conduct in the discharge of his professional duty, or

(*b*) who tenders, gives or consents to the retention, out of any fee paid or payable to him for his services, of any gratification for procuring or having procured the employment in any legal business of himself or any other Revenue-Agent, or

(*c*) who, directly or indirectly, procures or attempts to procure the employment of himself as such Revenue-Agent through, or by the intervention of, any person to whom any remuneration for obtaining such

employment

employment has been given by him, or agreed or promised to be so given, or

(*d*) who accepts any employment in any legal business through a person who has been proclaimed as a tout under section 36, or

(*e*) for any other reasonable cause.

Substitution of new section for section 36, Act XVIII, 1879.

4. For section 36 of the said Act the following shall be substituted, namely :—

Power to frame and publish lists of touts.

"36. (*1*) Every High Court, District Judge, Sessions Judge, District Magistrate and Presidency Magistrate, every Revenue-officer, not being below the rank of a Collector of a District, and the Chief Judge of every Presidency Small Cause Court (each as regards their or his own Court and the Courts, if any, subordinate thereto) may frame and publish lists of persons proved to their or his satisfaction, by evidence of general repute or otherwise, habitually to act as touts, and may, from time to time, alter and amend such lists.

(*2*) No person's name shall be included in any such list until he shall have had an opportunity of showing cause against such inclusion.

(*3*) A copy of every such list shall be kept hung up in every Court to which the same relates.

(*4*) The Court or Judge may, by general or special order, exclude from the precincts of the Court any person whose name is included in any such list.

(*5*) Every person whose name is included in any such list shall be deemed to be proclaimed as a tout within the meaning of section 13, clause (*e*), and section 22, clause (*d*)."

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GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

THE LEGAL PRACTITIONERS ACT, 1879,
(ACT XVIII OF 1879.)

AS MODIFIED UP TO THE 1ST MAY, 1896.

CALCUTTA:
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STATEMENT OF AMENDMENTS.

AMENDED . . . . . Act IX of 1884;
Act XI of 1896.

The following changes have been made in reprinting the Act:—

(1) Repealed matter has been omitted, explanatory notes being inserted;

(2) amendments have been inserted in their proper places, with explanatory footnotes;

(3) references to repealed Acts have been altered as directed by the enactment which effects the repeal, explanatory footnotes being inserted;

(4) some further footnotes have been added for convenience of reference;

(5) the number and year of Acts referred to in the text have been noted in the inner margin, except where both appear in the text;

(6) section-numbers occurring in the text have been printed in figures instead of in words; and

(7) the headings to the pages have been amplified.